

EXHIBIT KK

In the Matter Of:

UNITED STATES vs STATE OF GEORGIA

NO. 1:16-cv-03088-ELR

LAYLA FITZGERALD

June 24, 2022



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1 A Yes.

2 Q So that is part of the philosophy of the
3 office of OCYF?

4 A Yes.

5 Q That services be delivered in integrated
6 settings?

7 A Yes.

8 Q And the purpose that serves -- one purpose
9 that serves, among others, is to break the stigma of
10 mental health that might occur through segregated
11 mental health service treatment?

12 A It's to break the stigma around mental
13 health for all, whether it's a segregated program or
14 the general population.

15 Q I didn't ask that very well. So let me
16 just try again.

17 A Okay.

18 Q You require -- it is recommended for Apex
19 providers that services be provided in an integrated
20 setting across the whole school for prevention and
21 education to break the stigma of mental health?

22 A Yes.

23 Q Now, I'm paging down to the next bold
24 heading where it says "Deliverables."

25 A Uh-huh. Yes.

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1 Q And these -- are these deliverables that
2 DBHDD required of mental health providers working in
3 the Apex program?

4 A Yes.

5 Q And it says in Paragraph 1: "Complete all
6 surveys developed by G.A.P administrative partner."

7 That's Georgia Apex Program Administrative
8 Partner, the Center of Excellence, within stated
9 deadlines.

10 What does that deliverable refer to?

11 A The monthly reports that come from the COE
12 to the mental health providers.

13 Q So one of the deliverables that DBHDD
14 expected from its Apex program mental health
15 providers was to complete surveys disseminated by
16 the Center of Excellence within stated deadlines?

17 A Yes.

18 Q And how frequently were those surveys
19 distributed?

20 A So these are actually monthly reports that
21 go in -- that are submitted monthly to COE.

22 Q So data was required to be submitted on a
23 monthly basis?

24 A Yes.

25 Q Okay. And then it says -- and so those

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1 were monthly progress reports; is that correct?

2 A Evaluation.

3 Q Monthly evaluation?

4 A Yes.

5 Q And then the next paragraph, Paragraph 2,
6 says: Submit 12 monthly progress reports (MPR) to
7 the Center for Excellence.

8 What is -- what are monthly progress
9 reports?

10 A Reports on progress of staff, development
11 retention, not necessarily to the implementation of
12 services provided to the child.

13 Q Why was this information required as the
14 deliverable in the Apex program?

15 A To understand the needs of the provider
16 and employee by -- during implementation of the
17 program.

18 Q And then Paragraph 3, it refers to monthly
19 programmatic reports, which it says supplement the
20 monthly progress reports.

21 Do you see that?

22 A Yes.

23 Q And that -- what needs to be included in
24 that is then itemized in the paragraph?

25 A Yes.

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1 Q And there are metrics; is that correct?

2 A Yes.

3 Q What are some of the metrics?

4 A A number of services provided, number of
5 schools served, types of services provided, staff
6 utilized to provide those services, trainings needed
7 for staff and/or for schools.

8 There's several things. I wasn't even
9 looking at this.

10 And then there's some data that we request
11 from the school district that relates to attendance
12 and disciplinary referrals.

13 Q What was the purpose of requiring
14 information regarding attendance?

15 A To show the impact of the program.

16 Q Whether or not it was having a positive
17 effect on attendance?

18 A Yes.

19 Q Attendance is something that the Apex
20 program hopes to encourage, right?

21 A Correct.

22 Q And then -- because it's quite common if
23 individuals have mental health problems that
24 attendance may lag?

25 A Yes.

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1 Q And why, why was the Apex program tracking
2 information regarding disciplinary referrals?

3 A Same reason. It is common knowledge that
4 children who have mental health challenges and/or
5 illnesses have astronomical numbers of disciplinary
6 referrals.

7 Q So you were really establishing a
8 numerical base, baseline, to determine whether there
9 was improvement over a period?

10 A Correct.

11 Q And did you tell the -- did the Apex
12 program tell the mental health providers what
13 metrics to use, or was that left up to the
14 providers?

15 A No. We told them. We provide that.

16 Q Were those designed by the Center of
17 Excellence to study the results of the Apex program?

18 A In tandem with DBHDD, yes.

19 Q With you and Dante from DBHDD?

20 A So initially with Dante, and when I came
21 on I've helped to revise and review them on an
22 ongoing basis.

23 Q Understood.

24 And then in Paragraph 4 it says:

25 "Coordinate a minimum of two Mental Health First Aid